

Appl. No. 10/646,041  
Amdt. dated December 29, 2006  
Reply to Office action of October 2, 2006

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**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (original) A method of making a poisoned stake device comprising the steps of  
procuring a filler composition containing about 40-90% w/w ground dried clay and about  
10-60% w/w crushed limestone;  
getting a mixing chamber;  
adding the filler composition in an amount of about 30% to about 50% v/v into the  
mixing chamber;  
scooping plaster of Paris in an amount of about 30% to about 50% v/v into the mixing  
chamber;  
dispensing sulfur in an amount of about 0.05% to about 2% v/v into the mixing chamber;  
pouring castor oil in an amount of about 1 to about 7% v/v into the mixing chamber;  
combining water in an amount of about 15% to about 25% v/v into the mixing chamber;  
mixing together the filler composition, the plaster of Paris, the sulfur, the castor oil, and  
the water in the mixing chamber into a moistened composite;  
acquiring a die with an internal hollow mold chamber, wherein said internal hollow mold  
chamber of the die includes an elongated cylindrical spike shape having a pointed end  
and a blunt end;  
filling the internal hollow mold chamber of the die with an aliquot of the moistened  
composite;  
removing a spiked shaped moistened composite from the die; and  
curing the spiked shaped moistened composite into a hardened poisoned stake device by  
exposing the spiked shaped moistened composite to ambient air for at least two hours.
2. (original) The method of Claim 1 further comprising sealing the hardened poisoned  
stake device in a container.

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3. (original) The method of Claim 2 wherein said container is made of plastic selected from the group consisting of rubber, neoprene, polyvinyl chloride, polyester, polyethylene, polypropylene, polyurethanes, polyacryls, polymethacryls, cellulosic polymers, styrene-acryl copolymers, polystyrene-polyacryl mixtures, polysiloxanes, urethane-acryl copolymers, siloxane-urethane copolymers, polyurethane-polymethacryl mixtures, silicone-acryl copolymers, vinyl acetate polymers, and mixtures thereof.

4. (original) The method of Claim 2 wherein said container is made of paper.

5. (original) The method of claim 2 wherein said container is made of aluminum foil.

6. (original) The method of Claim 1 wherein

the filler composition of said adding step is in an amount of about 35% to about 45 % v/v in the mixing chamber;

the plaster of Paris in said scooping step is in an amount of about 35% to about 45 % v/v in the mixing chamber;

the sulfur in said dispensing step is in an amount of about 0.1% to about 1 % v/v in the mixing chamber;

the castor oil in said pouring step is an amount of about 3% to about 5% v/v in the mixing chamber; and

the water in said combining step is in an amount of about 17% to about 21% v/v in the mixing chamber.

7. (original) The method of Claim 1 wherein

the filler composition of said adding step is in an amount of about 38.4% v/v in the mixing chamber;

the plaster of Paris in said scooping step is in an amount of about 38.4 % v/v in the mixing chamber;

the sulfur in said dispensing step is in an amount of about 0.2% v/v in the mixing chamber;

the castor oil in said pouring step is an amount of about 4% v/v in the mixing chamber; and

the water in said combining step is in an amount of about 19% v/v in the mixing chamber.

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8. (original) The method of Claim 1 wherein  
the filler composition of said adding step is in an amount of about 2 cups in the mixing chamber;  
the plaster of Paris in said scooping step is in an amount of about 2 cups in the mixing chamber;  
the sulfur in said dispensing step is in an amount of about one half teaspoon in the mixing chamber;  
the caster oil in said pouring step is an amount of about 9 teaspoons in the mixing chamber; and  
the water in said combining step is in an amount of about 2 cups in the mixing chamber.
9. (original) The method of Claim 1 wherein the filler composition is a commercially available cat litter.
10. (original) The method of Claim 1 wherein the ground dried clay has a particle size of about 8/45 mesh and the crushed limestone has a particle size of about 16/25 mesh.
11. (original) A poisoned stake device comprising the poisoned stake device made from the method of Claim 1.
12. (original) The device of Claim 11 wherein said device measures about 6 inches long and about 1 inch in diameter.
13. (original) The device of Claim 11 wherein said devices measures about 4 inches long and about 1/2 inch in diameter.
14. (original) A method of using a poisoned stake device, said method comprising the steps of:  
obtaining the poisoned stake device sealed in the container made from the method of Claim 2;  
identifying a burrow hill in a field associated with a burrowing mammal pest.  
removing the container sealing the hardened poisoned stake device;  
discarding the container into a trash receptacle;  
inhibiting the burrowing mammal pest by depositing a portion of the poisoned stake device at the burrow hill.

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15. (original) The method of Claim 14 wherein said inhibiting step comprises inserting the poisoned stake device into the burrow hill.
16. (original) The method of Claim 14 wherein said inhibiting step comprises crumbling the poisoned stake into a plurality of crumbs and pouring the crumbs onto the burrow hill.
17. (original) The method of Claim 14 wherein the burrowing mammal pest is a mole.
18. (currently amended) The method of Claim 17 wherein said inhibiting step results in killing the mole.
19. (original) The method of Claim 17 wherein said inhibiting step results in the mole vacating the hill.
20. (original) The method of Claim 14 wherein the burrowing mammal pest is selected from the group consisting of a mole, a shrew, a vole, a gopher, a rabbit, an armadillo, a chipmunk, and a squirrel.